

1       LEGAL SERVICES OF NORTHERN CALIFORNIA  
2       Jennifer Anders-Gable, CSBN 285204  
3       505 12<sup>th</sup> Street  
4       Sacramento, CA 95814  
5       Telephone: (916) 551-2150  
6       E-Mail: [janders@lsnc.net](mailto:janders@lsnc.net)  
7       *Attorneys for Plaintiff*

8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

PHILLIP A. TALBERT  
United States Attorney  
MATHEW W. PILE, WSBA No. 32245  
Associate General Counsel  
Social Security Administration  
ANDREA BANKS, CSBN 275286  
Special Assistant United States Attorney  
Social Security Administration  
Office of the General Counsel  
6401 Security Boulevard  
Baltimore, MD 21235  
Telephone: (510) 970-4803  
E-Mail: [andrea.banks@ssa.gov](mailto:andrea.banks@ssa.gov)  
*Attorneys for Defendant*

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

BILLIE DOAN,  
Plaintiff,  
v.  
KILOLO KIJAKAZI,  
ACTING COMMISSIONER OF  
SOCIAL SECURITY,  
Defendant.

No. 2:22-cv-00084-JDP

**STIPULATION AND [PROPOSED]  
ORDER FOR AWARD OF ATTORNEYS  
FEES PURSUANT TO THE EQUAL  
ACCESS TO JUSTICE ACT**

1 IT IS HEREBY STIPULATED by and between the parties, through their undersigned  
2 attorneys, subject to the approval of the Court, that Billie Doan (“Plaintiff”) be awarded attorney  
3 fees under the Equal Access to Justice Act (“EAJA”), 28 U.S.C. §2412 (d), in the amount of  
4 nineteen thousand and five hundred dollars (\$19,500.00), and zero dollars in (\$0) costs. This  
5 amount represents compensation for legal services rendered on behalf of Plaintiff by counsel in  
6 connection with this civil action, in accordance with 28 U.S.C. §2412 (d) and 28 U.S.C. §1920.

7 After the Court issues an Order for EAJA fees to Plaintiff, the government will consider  
8 the matter of Plaintiff’s assignment of EAJA fees to Plaintiff’s attorney. Pursuant to *Astrue v.*  
9 *Ratliff*, 560 U.S. 586, 598 (2010), the ability to honor the assignment will depend on whether the  
10 attorney fees are subject to any offset allowed under the United States Department of the  
11 Treasury’s Offset Program. After the Order for EAJA fees is entered, the government will  
12 determine whether they are subject to any offset.

13 Fees shall be made payable to Plaintiff, but if the Department of the Treasury determines  
14 that Plaintiff does not owe a federal debt subject to offset, then the government shall cause the  
15 payment of fees approved to be made payable to Plaintiff’s counsel, Legal Services of Northern  
16 California, pursuant to the assignment executed by Plaintiff. Payments may be made by check.  
17 Any and all payments made shall be delivered to Plaintiff’s counsel.

18 This stipulation constitutes a compromise settlement of Plaintiff’s request for EAJA  
19 attorney fees and does not constitute an admission of liability on the part of Defendant under  
20 EAJA. Payment of the agreed amount shall constitute a complete release from, and bar to, any  
21 and all claims that Plaintiff and/or Plaintiff’s counsel may have relating to EAJA attorney fees  
22 and expenses in connection with this action.

23 This award is without prejudice to the rights of Plaintiff’s counsel to seek Social Security  
24 Act attorney fees under 42 U.S.C. §406(b), subject to the provisions of the EAJA.

25 //

26 //

27 //

28 //

1 //

2 Respectfully submitted,

3 Dated: December 4, 2023

4 By: /s/ Jennifer Anders-Gable  
5 JENNIFER ANDERS-GABLE  
6 Attorney(s) for Plaintiff

7 Dated: December 1, 2023

8 PHILLIP A. TALBERT  
9 United States Attorney

10 By: Andrea Banks\*  
11 ANDREA BANKS  
12 (\*Authorized by email dated 12/01/23)  
13 Attorneys for Defendant

14 **ORDER**

15 IT IS HEREBY ORDERED that, pursuant to the Equal Access to Justice Act, 28 U.S.C.  
16 §2412(d), attorney fees in the amount of nineteen thousand and five hundred dollars (\$19,500.00),  
17 and zero dollars (\$0) in costs, be awarded subject to the terms of the Stipulation.

18 IT IS SO ORDERED.

19 Dated: December 5, 2023

20   
21 JEREMY D. PETERSON  
22 UNITED STATES MAGISTRATE JUDGE

23

24

25

26

27

28